

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA  
CIVIL MINUTES

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**Case Title:** David R. Michal

**Case No.:** 22-22056 - A - 7

**Docket Control No.** CLH-1

**Date:** 01/03/2023

**Time:** 9:00 AM

**Matter:** [14] - Motion/Application to Set Trial Date [CLH-1] (dpas)

**Judge:** Fredrick E. Clement

**Courtroom Deputy:** Janice Busch

**Reporter:** Not Recorded

**Department:** A

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**APPEARANCES for:**

**Movant(s) :**

None

**Respondent(s) :**

None

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CIVIL MINUTES

**Motion:** Motion to Set Trial

**Notice:** Continued from December 5, 2022

**Disposition:** Continued to January 23, 2023, at 9:00 a.m.

**Order:** Civil minute order

The hearing on this motion was continued from December 5, 2022. At the hearing on December 5, 2022, both counsel for the alleged debtor, Patricia Wilson, and the petitioning creditor(s), Charles Hastings, were present and agreed to the continued hearing date and time.

At the hearing on December 5, 2022, the court also ordered as follows:

[N]ot later than 14 days prior to the continued hearing, the parties shall file a joint status report addressing all issues articulated in ECF No. 56, paras. 1A, 1B and 1C, to the extent that they have changed, and to update the status of discovery.

Order, ECF No. 60.

See also, Civil Minutes, ECF No. 58.

The Status Report was to have been filed not later than December 20, 2022. The parties have failed to file a status report.

The court will further continue the hearing on this matter to allow the parties to file the status report as ordered. Absent the parties' compliance with its order the court is unable to adequately prepare for the hearing on this matter.

**LBR 1001-1(g)**

Failure of counsel or of a party to comply with these Rules, with the Federal Rules of Civil Procedure or the Federal Rules of Bankruptcy Procedure, or with any order of the Court may be grounds for imposition of any and all sanctions authorized by statute or rule or within the inherent power of the Court, including, without limitation, *dismissal of any action, entry of default, finding of contempt, imposition of monetary sanctions or attorneys' fees and costs, and other lesser sanctions.*

LBR 1001-1(g) (emphasis added).

The failure of the parties to timely file the status report as required by this order may be grounds for imposition of sanctions or dismissal of this motion, or the petition, under LBR 1001-1(g).